ABSTRACT

Public Services –Panchayat Raj and Rural Development-Allegation of corruption against Sri K.Rajasekhar, S/o Rama Obulesu, Panchayat Secretary Grade.IV, Sunkesula village, Owk Mandal, Kurnool District – Trapped on 06.04.2021 - Sanction of prosecution – Accorded – Orders - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.VII) DEPARTMENT

G.O.Ms.No:-93

Date:20.11.2023

Read : -

From the DG,ACB Lr.No. RC.No.25/RCT-KUR/2021, Dt:06.07.2023.

ORDER:

Whereas Sri K. Rajasekhar, Age 37 years, S/o K. Rama Obulesu, is worked as Panchayat Secretary Grade IV, Sunkesula Village, Owk Mandal, Kurnool District from 30.06.2020 to 06.04.2021. By virtue of the post held by him he falls under the category of public servant as defined U/s 2(c) of the Prevention of Corruption (Amendment) Act, 2018.

2. And whereas Sri Moola Venkateswara Reddy, S/o Late Bali Reddy, Sunkesula Village, Owk Mandal, Kurnool district is having 7½ cents of vacant site opposite to his house in S.No. 57/2 who intended to construct a house having two portions in the above-said site. About 20 days back prior to the complaint, he met Sri Rajasekhar, Panchayat Secretary in their village Sachivalayam and asked about permission to construct house. For which, Sri Rajsekhar, Panchayat Secretary, informed him that an application along with documents, blueprint, document relating to the building, Aadhar Card, Ration Card are required to accord permission for construction of the building. At about 11.00 AM, on 30.03.2021, Sri Moola Venkateswara Reddy met Sri Rajasekhar, Panchayat Secretary in their village Sachivalayam and submitted his application along with Blue Print, Ration Card, Aadhar Card and documents .to Sri Rajasekhar, Panchayat Secretary who examined them and demanded Rs.20,000/- as bribe to accord building permission. When Sri Moola Venkateswara Reddy requested that he cannot pay that much amount. Sri Rajasekhar, Panchayath Secretary reduced finally to Rs.10,000/-. Under unavoidable circumstances when Sri Moola Venkateswara Reddy accepted to give the bribe amount Sri Rajasekhar, Panchayath Secretary instructed him to give the bribe amount while he is in office or at the place or to person which would be informed later over phone. On 31.03.2021 at about 09.30 AM, Sri

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Rajasekhar, Panchayat Secretary called from mobile phone bearing No. 9701636515 to the mobile phone of Sri Moola Venkateswara Reddy bearing No. 8106200046 and asked whether the amount Rs.10,000/- was brought by him, when Sri Moola Venkateswara Reddy replied that he brought the amount and asked Sri Rajasekhar, Panchayat Secretary would he come to the office, Sri Rajasekhar, Panchayat Secretary replied that he will not come to the office and asked whether Sri Moola Venkateswara Reddy can come to Owk village. When Sri Moola Venkateswara Reddy informed that he cannot come Sri Rajasekhar, Panchayat Secretary asked him to pay through "phone pay" later. When Sri Moola Venkateswara Reddy informed that the amount is deficient to make payment through "phone pay", Sri Rajasekhar, Panchayat Secretary having accepted for time being, persistently made phone calls for bribe amount. As Sri Moola Venkateswara Reddy is not willing to give the bribe amount he lodged the complaint on 05.04.2021 to the DSP, ACB, Kurnool.

3. And whereas the Dy. Superintendent of Police, ACB, Kurnool having got conducted discreet inquiry registered the complaint of Sri Moola Venkateswara Reddy as a case in Cr.No. 1/RCT-KUR/2021 U/s 7 of PC (Amendment) Act, 2018 on 06.04.2021 and proposed to lay a trap against Sri Rajasekhar, Panchayat Secretary, Sunkesula (V), Owk Mandal, Kurnool District.

4. And whereas after completion of the Pre-Trap Proceedings, Sri Moola Venkateswara Reddy left the trap party, went into the Meeting Hall situated in the first floor of office of MPDO, Owk and found Sri Rajasekhar, Panchayath Secretary sitting in a chair near the second door of the meeting hall. On seeing him Sri Rajasekhar, Panchayath Secretary renewed demand and on his confirmative reply, Sri Rajasekhar, Panchayath Secretary asked him to come down to ground floor main door. Accordingly, both of them came down to south-east corner of ground floor near main door, where Sri Rajasekhar received bribe amount with his right hand, counted the same with his both hands and later both of them again went to the meeting hall in the first floor. There Sri K.Rajasekhar kept the tainted currency in his back pack bag. Then Sri Moola Venkateswara Reddy again requested for his work, Sri Rajasekhar, Panchayat Secretary stated that he would enter the details of his application in the gram panchayat resolution register and after getting the resolution passed in the said register, he would collect the required challan fee and issue building approval proceedings. Later Sri Moola Venkateswara Reddy came out of the MPDO office and gave pre arranged signal.

5. And whereas Sri Rajasekhar, Panchayat Secretary was trapped on 06.04.2021 at about 11:55 hours at meeting hall situated in 1st floor of MPDO Office, Owk Mandal, Kurnool District, when he further demanded and accepted the bribe amount of Rs.10,000/- from the complainant Sri Moola Venkateswara Reddy, S/o Bali Reddy (Late), R/o H.No.2-89-1, Sunkeusla Village, Owk Mandal, Kurnool District for doing official favour i.e., " to process and issue proceedings

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of building plan approval pertaining to the construction of house in complainants house site in Sunkesula Village". When both hand fingers of Sri Rajasekhar, Panchayat Secretary tested in sodium carbonate solution, the solution turned into pink colour. When questioned by the DSP, ACB, about tainted currency Sri Rajasekhar, Panchayat Secretary produced the same from front side small zip pocket of his back pack bag. When verified with the serial numbers noted in the Pre-Trap Proceedings they were tallied. The inner linings of front side small zip pocket of back pack bag of Sri Rajasekhar, Panchayat Secretary when tested in sodium carbonate solution, the solution turned into pink colour. The DSP seized the application along with its enclosures available in back pack bag of Sri Rajasekhar, Panchayat Secretary, Sunkesula Village, Owk Mandal. The resultant chemical solutions back pack bag of Sri Rajasekhar, Panchayat Secretary, Sunkesula Village, Owk Mandal and tainted amount of Rs 10,000/- were seized by DSP, ACB, Kurnool. Later, the DSP, ACB got Photostat of the above application and its enclosures and the same were seized after duly attested by the DSP, ACB and the mediators. On the request of DSP, ACB the EO(PR&RD) got produced the Gram Panchayat Resolution Register from the O/o MPDO, Owk. The DSP, ACB seized the above original Gram Panchayat resolution register of Sunkesula duly attested by the mediators and the DSP, ACB for further investigation. On the request of DSP, ACB the MPDO, Owk got secured the CL register and produced before the DSP, ACB. The DSP, ACB got Photostat copies of the relevant sheets of C.L. Register and seized the same after duly attesting the same by the DSP, ACB and the mediators. Further, on the request of DSP, ACB the MPDO, Owk has issued one certificate, certifying that Sri K. Rajasekhar, attended for duties on 06.04.2021. The DSP, ACB seized the above original certificate issued by the MPDO, Owk. Later, DSP, ACB examined staff of MPDO office. As prima facie case is made out against Sri Rajasekhar, Panchayat Secretary, Sunkesula Village, Owk Mandal, Kurnool District he was arrested by the DSP, ACB.

6. And whereas the said acts of Sri K. Rajasekhar, Panchayat Secretary, Sunkesula Village, Owk Mandal, Kurnool District constitute offence punishable U/s 7 (a) of the Prevention of Corruption (Amendment) Act, 1988 (As amended by Act 16 of 2018).

7. And whereas the Government of Andhra Pradesh being the competent authority to remove Sri K. Rajasekhar, Panchayat Secretary, Sunkesula Village, Owk Mandal, Kurnool district from his office, after fully and carefully examining the material i.e. copies of the FIR, Mediators Report-I and II and Final Investigation Report of the Director General, Anti-Corruption Bureau etc., placed before the Government in respect of the said allegations and having regard to the facts and circumstances of the case consider that Sri K. Rajasekhar, Panchayath Secretary, Sunkesula Village, Owk Mandal, Kurnool District should be prosecuted in a court of law for the aforesaid offence.

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8. Now therefore in exercise of the powers conferred under Clause (b) of Subsection (1) of Section 19 of the Prevention of Corruption (Amendment) Act, 1988 (As amended by Act 16 of 2018).the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri K. Rajasekhar, Panchayath Secretary, Sunkesula village, Owk Mandal, Kurnool district, for the offence punishable U/s 7 (a) of the Prevention of Corruption (Amendment) Act, 2018 and for any other cognate offences punishable under any provision of law for the time being in force in respect of the above said acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH).

(B RAJSEKHAR)
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The DG,ACB,AP., Vijaywada.
Sf/Sc